

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 00-004

NPDES PERMIT NO. CAS612007

ISSUING WASTE DISCHARGE REQUIREMENTS FOR:

CITY OF AMERICAN CANYON, NAPA COUNTY, STORMWATER POLLUTION
PREVENTION PROGRAM

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter referred to as the Regional Board) finds that:

1. City of American Canyon (hereinafter the Discharger) submitted a National Pollutant Discharge Elimination System (NPDES) permit application for issuance of waste discharge requirements under the NPDES to discharge stormwater runoff from storm drains and watercourses that it owns and/or operates.
2. The Discharger has jurisdiction over maintenance responsibility for its municipal storm drain systems and/or watercourses that it owns and/or operates. The discharge consists of the surface runoff generated from various land uses in all the hydrologic sub-basins which discharge into water courses which in turn flow into the Napa River and San Pablo Bay. The quality and quantity of these discharges varies considerably and is affected by hydrology, geology, land use, season, and sequence and duration of hydrologic events. Pollutants of concern in these discharges are certain heavy metals, excessive sediment production due to anthropogenic activities, petroleum hydrocarbons from sources such as used motor oil, microbial pathogens from human and animal wastes, certain pesticides that pose acute aquatic toxicity, excessive nutrient loads which cause or contribute to the depletion of dissolved oxygen and/or toxic concentrations of dissolved ammonia, and other pollutants that may cause aquatic toxicity in the receiving water.
3. The total population of the City is approximately 10,000 according to an estimate prepared by the California Department of Finance. The City encompasses approximately 3.6 square miles of land. Drainage within the Discharger's area is in a westerly direction, originating in the rolling hills of the Sulphur Springs Mountains, across mildly sloping alluvium through the City and onto the Napa River flood plain. The City is bounded to the north by the Napa County Airport and to the south by the City of Vallejo. The four primary watercourses that are within the Discharger's jurisdiction are Walsh Creek, American Canyon Creek, Rio Del Mar, and North Slough. All but Rio Del Mar have significant portions of tributary area east (upstream) of the limits of expected development. Walsh Creek, American Canyon Creek, and Rio Del Mar have extensive development along the lower reaches of the creeks. Little development has encroached along North Slough. American Canyon Creek shows clear indications of urban runoff and non-point source impacts. The creek drains an off-stream gravel quarry, there has been overgrazing of the riparian corridor and the creek has been

channelized through the lower residential areas. West of the City development boundary (e.g. Wetlands Edge Road) there is tidal and seasonal wetland preserves and state-owned wildlife areas.

4. Under the current stormwater regulations, the City is not required to obtain a municipal stormwater permit based on the population. However, The Regional Board considers stormwater discharges from the urban and developing areas in the San Francisco Bay Region, including the City of American Canyon, contribute to excursions above water quality standards for: a) copper, nickel, mercury, selenium, PCBs dioxin-like, PCBs, DDT, diazinon, dieldrin, dioxin compounds and chlordane in San Pablo Bay and b) pathogens, nutrients and sediment in Napa River. The other sources of these pollutants include, but are not limited to, municipal and industrial discharges, atmospheric deposition, nonpoint, agricultural and natural sources.
5. The City has applied for a separate discharge permit for discharging tertiary treated effluent from its wastewater treatment plant which is also considered to be a potential source of the listed pollutants. Considering adoption of both permits will allow the City to address toxic pollutants from both sources within the City's jurisdiction.
6. **Optional Mass Offset** Adoption of both permits will provide the regulatory mechanism to facilitate mass offset of specific pollutants between the City's stormwater and wastewater discharges. The tentative wastewater permit contains requirements to prevent further degradation of the impaired waterbodies. Such requirements include provisions for aggressive source control and pollution prevention, mass limits calculated based on water quality objectives, upland wastewater reclamation and wetland enhancement and restoration. However, the toxic pollutant reduction achieved by complying with the above provisions will eventually reach a point, which is no longer cost effective. In contrast, the stormwater may have contributed or might continue to contribute the same listed pollutants at a much higher loading than the wastewater. This loading may be more cost-effectively reduced by implementing certain best management practices (BMPs) to remove future load by removing historically polluted creek sediment. Since wastewater, stormwater and sediment discharge into the same waterbody, a net reduction of mass load can be achieved by giving the Discharger the option to propose a mass offset program. Reduction of the stormwater mass load that would not otherwise be required or removal of the polluted creek sediment can be used to offset the wastewater mass load in excess of the mass limits specified in the Discharger's wastewater NPDES Permit (Order No. 00-003) at a ratio at least 1.5 (mass in stormwater or creek sediment) to 1 (mass in wastewater) for any listed pollutant of the same form or bioavailability. A higher ratio might be appropriate if the pollutants in the stormwater or creek sediment are in a less soluble or bioavailable form than those in the wastewater. The load reduction in stormwater or load removal of creek sediment will be required before the corresponding wastewater discharge begins. Specific monitoring and reporting requirements are specified in the Provisions to ensure required pollutant reduction or removal. The BMPs that result in eligible load reduction for mass offset will continue until the Total Maximum Daily Loads for these constituents are complete. At that time, the waste load allocation for the stormwater and wastewater discharges will supersede the mass offset monitoring and reporting requirements in this Order and the mass limits in Order No.

00-003, respectively. The Board must approve a mass offset proposal by the City before it is implemented. After load reduction or removal have been monitored and quantified, the Board may reopen both the wastewater and stormwater permits to consider approving the mass offset.

7. Section 402(p) of the federal Clean Water Act (CWA) requires NPDES permits for stormwater discharges from large and medium separate municipal storm drain systems, stormwater discharges associated with industrial activity (including construction activities), and designated stormwater discharges that contribute to violations of water quality standards or are significant contributors of pollutants to waters of the United States. On November 16, 1990, the United States Environmental Protection Agency (hereinafter US EPA) published regulations (40 CFR Part 122) which prescribe permit application requirements for municipal separate storm drain systems pursuant to Section 402(p) of the CWA.
8. The requirements that are applicable to the Discharger include submission of a Stormwater Management Plan to prevent and reduce the discharge of pollutants in stormwater to the maximum extent practicable, to effectively prohibit non-stormwater discharges into municipal storm drain systems and watercourses within the Discharger's jurisdiction that it owns and/or operates and to protect the natural functions of the watercourses and their riparian zone(hereinafter the watercourses).
9. The Discharger is required to develop and implement a Stormwater Management Plan (hereinafter referred to as Plan), that describes a framework for management of stormwater discharges for pollution prevention/reduction and watercourse protection during the term of this permit. The Plan must describe Stormwater Pollution Prevention and Watercourse Protection Program in accordance with 40 CFR 122.26(d) by including general information, legal authority, source identification, discharge characterization, management programs, and fiscal resources. In addition, the Plan must also describe annual reporting and program evaluation process and development of Performance Standards. For each major drainage basin the Plan must include the following elements: a) storm drain systems and flood control maintenance activities; b) industrial and illicit discharge controls; c) public information and participation; d) new development and construction controls; and e) watershed monitoring.
10. The Plan and modifications or revisions to the Plan that are approved in accordance with Provisions C.5 and C.10 of this Order, and future fiscal year Work Plans to be submitted and approved in accordance with Provision C.7 of this Order, are integral and enforceable components of this Order.
11. Performance Standards should represent the level of effort required of the Discharger in the Plan. The purpose of Performance Standards is to simplify the task of determining if a Discharger is putting forth a level of effort that will prevent and reduce pollutants in stormwater discharges and protect the natural functions of the watercourses to the maximum extent practicable.
12. The Discharger is responsible for adopting and enforcing ordinances, implementing assigned best management practices (BMPs) to prevent and reduce pollutants in stormwater and

protect the natural functions of the watercourses. The Discharger is also responsible for providing funds for capital, operation, and maintenance expenditures necessary to implement such BMPs for the storm drain systems and the watercourses that it owns and/or operates.

13. The Regional Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on June 21, 1995. This updated and consolidated plan represents the Regional Board's master water quality control planning document. The State Water Resources Control Board and the Office of Administrative Law approved the revised Basin Plan on July 21 and November 13 of 1995, respectively. A summary of the regulatory provisions is contained in Title 23 of the California Code of Regulations at Section 3912. The Basin Plan identifies beneficial uses and water quality objectives for surface waters in the Region, as well as effluent limitations and discharge prohibitions intended to protect those uses. This Order implements the plans, policies, and provisions of the Board's Basin Plan.

14. The beneficial uses identified in the Basin Plan for the Napa River (NR) and the brackish Napa Wetlands are:

- Agricultural Supply (NR)
- Navigation (NR)
- Water Contact Recreation (NR), (NW)
- Non-contact Water Recreation (NR), (NW)
- Commercial and Sport Fishing (NW)
- Wildlife Habitat (NR)
- Preservation of Rare and Endangered Species (NR), (NW)
- Fish Migration (NR), (NW)
- Fish Spawning (NR), (NW)
- Estuarine Habitat (NW)
- Warm Freshwater Habitat (NR), (NW)
- Cold Water Habitat (NR)

15. It is not feasible at this time to establish numeric effluent limitations for pollutants in municipal storm water discharges. Instead, the provisions of this permit require implementation of Best Management Practices (BMPs) to prevent and reduce the discharge of pollutants in stormwater discharges and to protect the natural functions of the watercourses. Provisions of this permit also require monitoring to determine the effectiveness of the BMPs and to quantify pollutant load reduction for mass offset purposes, where applicable.

16. The San Francisco Estuary Project, established pursuant to CWA Section 320, culminated in June of 1993 with completion of its Comprehensive Conservation and Management Plan (CCMP) for the preservation, restoration, and enhancement of the San Francisco Bay-Delta Estuary. The CCMP includes recommended actions in the areas of aquatic resources,

wildlife, wetlands, water use, pollution prevention and reduction, dredging and waterway modification, land use, public involvement and education, and research and monitoring. Recommended action which may, in part, be addressed through implementation of the Discharger's Plan includes, but are not limited to, the following:

Action PO-2.1: Pursue a mass emission strategy to reduce pollutant discharges into the Estuary from point and non-point sources and to address the accumulation of pollutants in estuarine organisms and sediments.

Action PO-2.4: Improve the management and control of urban runoff from public and private sources.

Action PO-2.5: Develop BMPs to reduce pollutant loading from energy and transportation.

Action LU-1.1: Local General Plans should incorporate watershed protection plans to protect wetlands and stream environments and reduce pollutants in runoff.

Action LU-3.1: Prepare and implement Watershed Management Plans that include the complementary elements: 1) wetlands protection; 2) stream environment protection; and 3) reduction of pollutants in runoff.

Action LU-3.2: Develop and implement guidelines for site planning and Best Management Practices.

17. It is the Regional Board's intent that this Order shall ensure attainment of applicable water quality objectives and protection of beneficial uses of receiving waters. This Order therefore includes requirements to the effect that discharges shall not cause or contribute to violations of water quality objectives nor shall they cause certain conditions to occur that create a condition of nuisance or water quality impairment in receiving waters. Accordingly, the Regional Board is requiring that these requirements be addressed through the implementation of BMPs to prevent and reduce pollutants in stormwater and protect the natural functions of the watercourses as provided in Provisions C.1 through C.12 of this Order.
18. The Plan must outline effective and efficient implementation of appropriate BMPs for preventing and reducing the most important sources of pollutants within the watersheds and for protecting the natural functions of the watercourses. The Plan once submitted and approved, will be considered to be equivalent to a watershed management plan for the City of American Canyon.
19. Federal, state, regional, or local, entities within the Discharger's boundaries, not currently named in this Order, operate storm drain facilities and/or discharge stormwater to the storm drains and watercourses covered by this Order. The Discharger may lack legal jurisdiction over these entities under the state and federal constitutions. Consequently, the Regional Board recognizes that the Discharger should not be held responsible for such facilities and/or discharges. The definition of separate municipal storm drain facilities in the Federal Stormwater Regulations may result in state or regional entities within the City of American

Canyon, not currently named in this Order, being designated as medium municipalities. Federal agencies are not subject to municipal stormwater requirements although they may be permitted as industrial dischargers.

20. The action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Division 13 of the Public Resources Code, Chapter 3, Section 21100, et. seq.) in accordance with Section 13389 of the California Water Code.
21. The Regional Board has notified the Discharger and interested agencies and interested persons of its intent to prescribe waste discharge requirements and issue an NPDES for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
22. The Regional Board, at a properly noticed public meeting, heard and considered all comments pertaining to the discharge.
23. This Order serves as an NPDES permit, pursuant to CWA Section 402, or amendments thereto, and shall become effective ten days after the date of its adoption provided the Regional Administrator, USEPA, Region IX, has no objection.

IT IS HEREBY ORDERED that the Discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the Clean Water Act as amended and regulations and guidelines adopted thereunder, shall comply with the following:

A. Discharge Prohibitions

1. The Discharger shall, within its jurisdiction, effectively prohibit the discharge of non-stormwater (materials other than stormwater) into its storm drain systems and watercourses that it owns and/or operates. NPDES permitted discharges are exempt from this prohibition. Non-polluted discharges are also exempt from this prohibition. Some examples of non-polluted discharges are landscape irrigation runoff that is not polluted with silt, fertilizer, herbicides or pesticides, non-polluted groundwater, pumped discharge, and once-through non-contact cooling water which has lost chorine residual. Compliance with this prohibition shall be demonstrated in accordance with Provision C.9 of this Order. Provision C.9 describes a tiered categorization of non-stormwater discharges based on potential for pollutant content.

B. Receiving Water Limitations

1. The discharge shall not cause the following conditions to create a condition of nuisance or to adversely affect beneficial uses of waters of the State:
 - a. Floating, suspended, or deposited macroscopic matter, or foam;

- b. Bottom deposits or aquatic growths;
 - c. Alterations of temperature, sediment load, nutrient load, dissolved oxygen which cause significant adverse impacts to native aquatic biota;
 - d. Visible, floating, suspended, or deposited oil or products of petroleum origin; and/or
 - e. Substances present in concentrations or quantities which cause deleterious effects on aquatic biota, wildlife, or waterfowl, or which render any of these unfit for human consumption.
2. The discharge shall not cause or contribute to a violation of any applicable water quality standard for receiving waters contained in the Regional Board's Basin Plan. If different applicable water quality standards are adopted after the date of adoption of this Order, the Board may revise and modify this Order as appropriate.

C. Provisions

1. The Discharger shall comply with Receiving Water Limitations B.1 and B.2 through the timely implementation of control measures and other actions to reduce pollutants in the discharge in accordance with the Plan and other requirements of this permit including any modifications or amendments developed pursuant to this Order. The Plan shall be designed to achieve compliance with Receiving Water Limitations B.1 and B.2. If exceedance(s) of water quality standards or water quality objectives (collectively WQSs) persist notwithstanding implementation of the Plan, the Discharger shall assure compliance with Receiving Water Limitations B.1 and B.2 by complying with the following procedure:
- a) Upon a determination by either the Discharger or the Regional Board that discharges are causing or contributing to an exceedance of an applicable WQS, the Discharger shall promptly notify and thereafter submit a report to the Regional Board that describes BMPs that are currently being implemented and additional BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the exceedance of WQSs. The report may be incorporated in the annual update (as described in Provision 6) to the Plan unless the Regional Board directs an earlier submittal. The report shall include an implementation schedule. The Regional Board may require modifications to the report;
 - b) Submit any modifications to the report required by the Regional Board within 30 days of notification;
 - c) Within 30 days following approval of the report described above by the Regional Board, the Discharger shall revise the Plan and Monitoring Program (as described in Provision 3) to incorporate the approved modified control measures that have been or will be implemented, the implementation schedule, and any additional monitoring required;

- d) Implement the revised Plan and Monitoring Program in accordance with the approved schedule.

So long as Discharger has complied with the procedures set forth above and is implementing the revised Plan, they do not have to repeat the same procedure for continuing or recurring exceedances of the same receiving water limitations unless directed by the Regional Board to develop additional control measures.

2. Stormwater Management Plan: The Discharger shall submit a Plan, acceptable to the Executive Officer, no later than **September 1, 2000**. The Plan must describe Stormwater Pollution Prevention Program in accordance with 40 CFR 122.26(d) by including general information, legal authority, source identification, discharge characterization, management programs, and fiscal resources. In addition, the Plan must also describe annual reporting and program evaluation process and development of Performance Standards. Upon approval, the Discharger shall immediately begin implementing the Plan and shall subsequently demonstrate its effectiveness and provide for necessary and appropriate revisions, modifications, and improvements for pollution prevention and reduction and watercourse protection to the maximum extent practicable and as required by Provisions C.3 through C.12 of this Order. The Plan shall serve as the framework for managing stormwater discharges pursuant to Finding 9. The Discharger shall identify and implement BMPs to prevent and reduce pollutants in stormwater discharges to the maximum extent practicable. The Discharger shall also implement BMPs to ensure natural functions of watercourses within the City's jurisdiction are enhanced and preserved especially with regard to flood control maintenance activities and new development.
3. Monitoring Program: The Plan shall include a Monitoring Program to evaluate the effectiveness of the BMPs. In accordance with Provision C.2 and Finding 4, the Monitoring Program shall include a proposal to include, but not be limited to:
 - a. Identify potential sources for pollutants listed in Finding 4 that are found in stormwater discharges;
 - b. Assess existing or potential adverse impacts on beneficial uses caused by stormwater discharges through use of physical, chemical and/or biological parameters and indicators of representative receiving waters;
 - c. Evaluate the effectiveness of BMPs that have been or will be implemented to prevent and reduce the listed pollutants that may be causing or contributing to the exceedance of WQSs and protect the watercourse and its riparian zone;
 - d. Characterize representative drainage areas and stormwater discharges, including land uses, local hydrograph, pollutant concentrations and forms, and mass loading. Identify representative monitoring locations, frequencies and methods, suite of pollutants to be analyzed, analytical methods, and quality assurance procedures.

To offset the mass loads in excess of the mass limits specified in the Discharger's wastewater NPDES Permit (Order No. 00-003), the Discharger is allowed to propose a mass offset program to reduce stormwater mass loads that would not otherwise be required or remove historically polluted creek sediment at a ratio at least 1.5 (mass in stormwater or creek

sediment) to 1 (mass in wastewater) for any specific listed pollutant of the same form or bioavailability. The BMPs that result in eligible load reduction for mass offset shall be left in place until the Total Maximum Daily Loads for these constituents are complete. At that time, the waste load allocation for the stormwater and wastewater discharges will supersede the mass offset monitoring and reporting requirements in this Order and the mass limits in Order No. 00-003, respectively. The Board must approve a mass offset proposal by the City before it is implemented. After load reduction or removal have been monitored and quantified, the Board may reopen both the wastewater and stormwater permits to consider approving the mass offset.

Except for mass offset purpose, alternative-monitoring methods such as special studies, financial participation in regional, state, or national special projects or research, literature review, visual observations, recognition and reliance on special studies conducted by other municipalities may be proposed with justification.

4. Performance Standards: The Plan shall incorporate Performance Standards to be developed by the Discharger. Performance Standards are intended to define the level of implementation necessary to demonstrate the reduction of pollutants in stormwater and protection of the natural functions of the watercourses to the maximum extent practicable. Through a continuous improvement process, the Discharger will modify and improve current performance standards and/or develop new performance standards where appropriate.
5. Annual Reports: The Discharger shall submit an Annual Report by September 1 of each year, with the first report due **September 1, 2001** documenting the status of the Program's and the Discharger's activities during the previous fiscal year, including the results of a qualitative field level assessment of activities implemented by the Discharger, and the performance of tasks contained in the Plan. The Annual Report shall include a compilation of deliverables and milestones completed as described in the Plan. In each Annual Report, the Discharger may propose pertinent updates, improvements, or revisions to the Plan, which shall be complied with under this Order unless disapproved by the Executive Officer or acted upon in accordance with Provision C.10. As part of the Annual Report preparation process, the Discharger shall conduct an overall evaluation of the effectiveness of its applicable activities described in the Plan. Direct and indirect measures of effectiveness may include, but are not limited to, conformance with established Performance Standards, quantitative monitoring to assess the effectiveness of BMPs, measurements of pollutant load reductions, detailed accounting of Program accomplishments, funds expended, and staff hours utilized. To offset the mass loads from the wastewater discharge for any particular listed pollutant, the stormwater mass load reduction shall be reported and approved and both Orders amended by the Regional Board prior to discharging the corresponding wastewater mass load at a ratio at least 1.5 (mass in stormwater) to 1 (mass in wastewater) for any specific pollutant of the same form or bioavailability.
6. Annual Work Plan: The Discharger shall submit a Work Plan for the Program, by May 1 of each year for the following two fiscal years, with the first Work Plan due **May 1, 2001**. The Work Plan shall consider the status of implementation of current year activities including

monitoring activities and actions of the Discharger, problems encountered, and proposed solutions, and shall address any comments received from the Executive Officer on the previous year's Annual Report. The Work Plan shall include clearly defined tasks, responsibilities and schedule for implementation of Program actions for the following two fiscal years. The Work Plan shall also consider modifications to the existing Monitoring Program and Performance Standards.

7. The Work Plan shall be deemed to be final and incorporated into the Plan and enforceable under this Order as of July 1 of each year unless determined to be unacceptable by the Executive Officer. The Discharger shall address any comments or conditions of acceptability received from the Executive Officer on the Work Plan no later than September 1 of each year, or at any earlier date if so specified by the Executive Officer, at which time the Work Plan shall be deemed to be incorporated into the Plan and this Order unless disapproved by the Executive Officer.
8. Watershed Management Initiative for Napa River: The Discharger shall coordinate with other municipalities within the Napa River Watershed in development of the watershed assessment and management plan for restoring and preserving the beneficial uses of the Napa River.
9. a. Non-Stormwater Discharges (Exempted Discharges): In carrying out Discharge Prohibition A.1 of this Order, the following non-stormwater discharges are not prohibited unless they are identified by the Discharger or the Executive Officer as sources of pollutants to receiving waters:
 - flows from riparian habitats or wetlands;
 - diverted stream flows;
 - springs; and
 - rising groundwater.

If any of the above categories of discharges, or sources of such discharges, are identified as sources of pollutants to receiving waters, then such categories or sources shall be addressed as conditionally exempted discharges in accordance with Provision C.9.b.

- b. Conditionally Exempted Discharges: The following non-stormwater discharges are not prohibited if they are either identified by the Discharger or the Executive Officer as not being sources of pollutants to receiving waters and if appropriate control measures to eliminate adverse impacts of such sources are developed and implemented under the Stormwater Management Plan in accordance with Provision C.9.c.:
 - uncontaminated pumped groundwater;
 - dechlorinated swimming pool waters;
 - foundation drains;
 - water from crawl space pumps;
 - footing drains;

- air conditioning condensate;
 - irrigation water;
 - landscape irrigation;
 - lawn or garden watering;
 - planned and unplanned discharges from potable water sources;
 - water line and hydrant flushing;
 - individual residential car washing; and
 - discharges or flows from emergency fire fighting activities.
- c. The Discharger shall identify and describe the categories of discharges listed in C.9.b that it wishes to exempt from Prohibition A.1 in periodic submissions to the Executive Officer. For each such category, the Discharger shall identify and describe as necessary and appropriate to the category either documentation that the discharges are not sources of pollutants to receiving waters or circumstances in which they are not found to be sources of pollutants to receiving waters. Otherwise, the Discharger shall describe control measures to eliminate adverse impacts of such sources, procedures and Performance Standards for their implementation, procedures for notifying the Board of these discharges, and procedures for monitoring and record management. Such submissions shall be deemed to be incorporated into the Plan unless disapproved by the Executive Officer or acted on in accordance with Provision C.10 and the NPDES permit regulations.
- d. Permit Authorization for Exempted Discharges
- i. Discharges of non-stormwater from sources owned or operated by the Discharger are authorized and permitted by this Order, if they are in accordance with the conditions of this provision and the Plan.
 - ii. The Board may require dischargers of non-stormwater other than the Discharger to apply for and obtain coverage under an NPDES permit and comply with the control measures developed by the Discharger pursuant to Provision C.9.c. Non-stormwater discharges that are in compliance with such control measures may be accepted by the Discharger and are not subject to Prohibition A.1.
 - iii. The Discharger may propose, as part of their Annual Work Plan or the Annual Report under Provisions C.5 and C.6 of this Order, additional categories of non-stormwater discharges to be included in the exemption to Discharge Prohibition A.1. Such proposals are subject to approval only by modification of this permit.
10. It is anticipated that the Plan may need to be modified, revised, or amended from time to time to respond to changed conditions and to incorporate more effective approaches to pollutant control. Requests for changes may be initiated by the Executive Officer or by the Discharger. Minor changes may be made with the Executive Officer's approval and will be brought to the

Regional Board as information items and the Discharger and interested parties will be notified accordingly. If proposed changes imply a major revision of the Program, the Executive Officer shall bring such changes before the Regional Board as permit amendments and notify the Discharger and interested parties accordingly.

11. This Order may be modified, or alternatively, revoked or reissued, prior to the expiration date as follows: a) to address significant changed conditions identified in the technical reports required by the Regional Board which were unknown at the time of the issuance of this Order; b) to incorporate applicable requirements of statewide water quality control plans adopted by the State Board or amendments to the Basin Plan approved by the State Board; or c) to comply with any applicable requirements, guidelines, or regulations issued or approved under Section 402(p) of the CWA, if the requirement, guideline, or regulation so issued or approved contains different conditions or additional requirements not provided for in this Order. The Order as modified or reissued under this paragraph shall also contain any other requirement of the CWA when applicable.
12. The Discharger shall comply with all parts of the Standard Provisions contained in Appendix A of this Order.
13. This Order expires on January 19, 2005. The Discharger must file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of such date as application for reissuance of waste discharge requirements.

I, Lawrence P. Kolb, Acting Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on January 19, 2000.

Lawrence P. Kolb
Acting Executive Officer